

Application No. 09/940,283
IDS dated May 15, 2003
Attorney Docket No. 4441-0003

#9
B. Webb
5/20/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAY 21 2003

TECHNOLOGY CENTER R3700

First-Named Inventor : BARDY, Gust H
Serial No. : 09/940,283
Filing Date : August 27, 2001
Title : DUCKBILL-SHAPED IMPLANTABLE CARDIOVERTER
DEFIBRILLATOR CANISTER AND METHOD OF USE
Group Art Unit : 3762
Examiner : DROESCH, Kristen L

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class mail service in a post-paid envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on 05.15.2003.

Belinda J. Hunter
HUNTER, Belinda J.

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR §§1.56, 1.97 AND 1.98

SIR:

Pursuant to the duty of disclosure under 37 CFR §§1.56, 1.97, and 1.98, applicant submits herewith an *Information Disclosure Statement* along with the *List of Cited References* (Form PTO-1449).

References A-Z, A5-A10, AO, AP, AT, BB, and BM on the form PTO-1449 are incorporated by reference within the specification of the subject patent application, and applicant has indicated the page numbers and line numbers for the Examiner's convenience. In addition, references BB and BM are also cited in at least one of the PCT International Search Reports listed in the table beginning on page 2 of this paper.

Since applicant is providing numerous prior art references based on related US and international patent application search reports, the Examiner's attention is directed to the following table in order to simplify the complexity of cross-references.

| PTO-1449 Ref. No. | Search Report or Other Source | PTO-1449 Cross-Ref. Nos. |
|------------------------------|---|--|
| DA | Intl Search Report; PCT/US01/29168; dated 03.26.2002 | AM AO AW BA BC BE BM BW (A1 DB) BX |
| DB | Written Opinion; PCT/US01/29168; dated 09.10.2002 | AM AO AW BA BC BE BM BW (A1 DA) BX |
| DC | Intl Search Report; PCT/US01/29106; dated 03.21.2002 | AB AU AW BA BE B3 CH (A2 DD) |
| DD | Written Opinion; PCT/US01/29106; dated 09.03.2002 | AB AU AW BA BE B3 CH (A2 DC) |
| DE | Intl Search Report; PCT/IB02/03452; dated 02.14.2003 | AJ AY BN BO BT CB CE (A2 DC DD) |
| DF | Intl Search Report; PCT/IB02/03453; dated 02.14.2003 | AD AY BO BT CB CE (A2 DC DD) |
| DG | Intl Search Report; PCT/IB02/03467; dated 02.14.2003 | AY BN BO BT CB CE (A2 DC DD) |
| DH | Intl Search Report; PCT/IB02/03469; dated 02.14.2003 | AG AQ AX BJ BT |
| DI | Intl Search Report; PCT/IB02/03484; dated 02.14.2003 | AY BN BT CE (A1 DA DB) (A2 DC DD) |
| DJ | Intl Search Report; PCT/IB02/03488; dated 02.14.2003 | BT CB CE BN BO CC (A2 DC DD) |
| DK | Intl Search Report; PCT/IB02/03522; dated 02.14.2003 | AG AQ AX BJ BT BY B2 |
| EA | Intl Search Report; PCT/IB02/03503; dated 02.18.2003 | BS CB CD CF |

| PTO-1449 Ref. No. | Search Report or Other Source | PTO-1449 Cross-Ref. Nos. |
|------------------------------|---|---|
| EB | Intl Search Report; PCT/IB02/03447; dated 02.20.2003 | AA AE AF AI AK AZ BB BF BR BV BW BZX B2 |
| EC | Intl Search Report; PCT/IB02/03481; dated 02.20.2003 | AK AN BF BR BT BW BX B2 (A1 DA DB) |
| ED | Intl Search Report; PCT/IB02/03501; dated 02.20.2003 | AI AK BF BR BW BX |
| EE | Intl Search Report; PCT/IB02/03502; dated 02.20.2003 | AE AF AK AN BR BW BX |
| EF | Intl Search Report; PCT/IB02/03525; dated 02.20.2003 | AE AK BI BR BU (with English language Abstract) |
| EG | Intl Search Report; PCT/IB02/04513; dated 02.20.2003 | AO AV BP B1 |
| EH | Office Action; US 09/663,606; dated 10.15.2002 | BQ CK CL CI |
| EI | Office Action; US 10/011,952; dated 12.31.2002 | BH CJ |

Although the above-mentioned international patent applications do not claim priority to the present invention, these reports and prior art references are being submitted herewith in accordance with MPEP §2001.06(a) as material to the patentability of the present invention.

References AC AH AL AQ-AS BD BG BK and CN are being provided by the applicant.

Inasmuch as the present application has not yet received a first Office Action on the merits in accordance with 37 CFR §1.97(b)(3), this information is believed to be timely filed. Accordingly, consideration of the enclosed references and entry into the record are respectfully requested.

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It is believed that no fee for filing this *Information Disclosure Statement* is now due. If it is determined that any fee is required, the Commissioner is hereby authorized to charge any such fee to Deposit Account No. 07-1730. A duplicate of this sheet is enclosed herewith.

Dated: May 15, 2003
New York, New York

Respectfully submitted,

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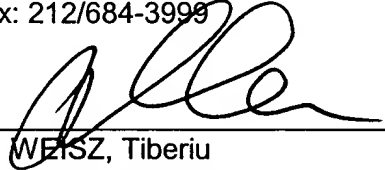
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Dated: May 15, 2003
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Respectfully submitted,

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